

MINUTES OF THE
STATE HISTORIC PRESERVATION REVIEW BOARD MEETING

MAY 2, 2008, 10:00 A.M.
LAKE ERIE ROOM
MICHIGAN HISTORICAL CENTER

BOARD MEMBERS PRESENT

Scott Beld, Janese Chapman, Lynn Evans, Richard Harms, Alison (Kim) Hoagland, Elizabeth Knibbe, Carolyn Loeb, Jennifer Radcliff, Ronald Staley

BOARD MEMBERS ABSENT

n/a

STAFF MEMBERS PRESENT

Amy Arnold, Laura Ashlee, Nick Bozen, Robert Christensen, Brian Conway, Ted Grevstad-Nordbrock, John Halsey, Kelly Larson, Denise Sachau, Todd Walsh

MEMBERS OF THE PUBLIC PRESENT

Elizabeth Campbell concerning Leverett A. and Amanda (Hampson) Clapp House
Bryan Groesbeck, concerning Greenville Downtown Historic District
Margaret Parker, concerning Croton Dam Mound Group
Charlie Rinehart, concerning Croton Dam Mound Group
Tommy Simon, concerning Helen H. Newberry Nurses Home
Ken Snow, concerning Greenville Downtown Historic District
Ernest Zachary, concerning Helen H. Newberry Nurses Home

APPROVAL OF AGENDA

Moved:

Seconded:

Vote: 9-0

APPROVAL OF MINUTES OF JANUARY 18, 2008

Knibbe noted that the Mendelssohn Auguste v Pontiac Historic District Commission motion did not note a second. Harms asked who seconded that motion. Knibbe stated that she seconded the motion of Mendelssohn Auguste v Pontiac Historic District Commission.

Moved approval of the minutes with noted revision: Chapman

Seconded: Knibbe

Vote: 9-0

ELECTION OF OFFICERS

Election of Vice-President

Harms noted that a committee normally selects a vice-president, but this is the first meeting under the new protocols of the State Historic Preservation Review Board (RB). Evans was nominated as Vice-President

Moved:

Seconded: Chapman

Vote: 9-0

BYLAWS

Bozen noted that the RB has been dissolved and reconstituted. The previous RB had bylaws that were amended several times. Bozen suggested that the bylaws be reformatted to include all amendments. Bozen also stated the National Park Service has adopted new conflict-of-interest guidelines, which should also be incorporated into the new bylaws. Bozen suggested that State Historic Preservation Office (SHPO) staff compile the bylaws, incorporating all federal requirements. The RB would then review the bylaws, and Bozen submit the approved bylaws to the Attorney General's office for legal review. Harms asked whether a motion needed to be made or if the RB could accept Bozen's comments as information. Bozen replied that at this time, this is only information for the RB.

STAFF REPORTS

Brian Conway, State Historic Preservation Office:

Conway congratulated the newly appointed board members and expressed the SHPO's pleasure at the passing of the Executive Order, and at their appointment by the Governor. Conway suggested that the RB members consider what role and how the RB could be more influential across the state.

Conway asked the RB members to sign the NPS-required Conflict-of-Interest forms before leaving.

The Christman Company recently moved into the renovated Mutual Building, located in downtown Lansing.

Bozen stated that Conway has also been appointed by the Governor as State Historic Preservation Officer.

Conway introduced SHPO staff in attendance to the RB.

Walsh has been promoted to Department Analyst. Walsh will continue to work with Christensen and the RB, as well as Bozen and appeals. Walsh will also continue to increase efforts in the area of special projects – including the weekly list of preservation news articles, case studies, and more. The SHPO will be working to

refill the vacated Office Assistant position. MacFarlane-Faes has returned part-time from maternity leave.

Beginning in mid-May, as a result of work done by Grevstad-Nordbrock, the SHPO will begin a process-engineering process with the Michigan Department of Transportation (MDOT). The purpose of this process will be to evaluate how the SHPO goes about its work, and determine how the SHPO can increase its efficiency through the use of technology. Grevstad-Nordbrock has been working towards a GIS-based data system. The first step is the process-engineering phase.

Thursday, May 15, 2008 will be the annual Governor's Awards for Historic Preservation (GAHP). Conway added that it has become increasingly difficult for the SHPO to select projects to nominate for a GAHP because of the number of quality projects coming to it. Dr. William Anderson, director of the Department of History, Arts and Libraries, will be presenting this year's awards.

Senate Bill 973, which enhances the state historic preservation tax credit program, is still in committee, but the SHPO is hopeful that the bill will soon move out of committee. Meanwhile, the Michigan Historic Preservation Network (MHPN) is working to identify members of the Michigan House of Representatives who will introduce a similar House bill. There is still some question as to whether the federal and state credit "stacking" provision will remain in the bill, but the SHPO is hopeful that it will..

House Bill 5952 moved quickly from committee to the House floor. Bozen stated that the bill had since passed out of the House. The purpose of this bill was to provide technical corrections to the Local Historic District Act by putting into law the timeframe which local communities must follow. The bill also closed some loopholes and answered questions in administering certain portions of the law. The SHPO is hopeful that another bill will soon be introduced that will improve enforcement provisions in the law. Conway and several SHPO staff members testified to the New Economy and Way of Life Committee in regards to this bill. The hearing was held in the Mutual Building, which provided the committee members with a better idea of what historic preservation can mean to communities.

The SHPO awarded Michigan Lighthouse Assistance Program grants to the City of Charlevoix, the Great Lakes Lighthouse Keepers Association, the DeTour Reef Light Preservation Society, the Grand Traverse Lighthouse Museum, Peninsula Township, Ontonagon County, Delta County, and the Great Lakes Shipwreck Historical Society. The total grant amount was a little over \$215,000, which was the largest amount the SHPO has awarded.

The SHPO will soon be announcing its 2008 Certified Local Government grants. This year's recipients are the City of Detroit, the City of Jackson, the City of

Kalamazoo, and the City of Ypsilanti. The total of the grants awarded was approximately \$90,000, which is very close to the required ten percent pass-through amount.

The SHPO has requested extensions for both of its current Preserve America grants. The SHPO is also submitting another Preserve America grant application to study Michigan's role in mid-Century modern design. Conway feels that Michigan has an as-yet unrecognized and important role in modern design. The catch is that Preserve America grants require a dollar-for-dollar match, and federal money cannot be used. Conway stated that he is confident the SHPO can generate the necessary funds, should the grant application be approved.

The SHPO is drafting a Memorandum of Agreement in regards to the Ambassador Bridge twinning project.

A coalition to preserve Tiger Stadium has asked the SHPO to come to Detroit to review its proposed plans.

MDOT will be vacating the Cobbs and Mitchell office building in Cadillac in Fall of 2008. MDOT has asked the SHPO to assist in finding a positive use for this building. The Michigan State Housing Development Authority (MSHDA) has put together a proposal that will transfer ownership from MDOT to MSHDA, who will then work with the City of Cadillac to develop a proposal within a five-year time period.

Conway attended the National Conference of State Historic Preservation Officers (NCSHPO) conference and lobby day held in March in Washington, DC.

Tuinstra attended the Affordable Housing conference in Lansing in early May.

The MHPN conference will be held in May in Dearborn, and the Lighthouse conference will be held in June in Traverse City.

A SHPO staff member will be attending the annual American Institute of Architects (AIA) conference in Boston.

The SHPO is also attempting to put together a workshop on Mackinac Island that will address a lot of work that has been done on the island that is not appropriate for a National Historic Landmark. A group of concerned citizens has come forward requesting help in crafting design guidelines.

Radcliff asked about incorporating LEED building practices and Cultural Economic Development principles into the Main Street program, and what role the National Trust for Historic Preservation (NTHP) will have. Conway replied that the SHPO is

not yet working with the NTHP, and that the SHPO is still working through that itself. Larson stated that it is her goal to incorporate LEED/green principles in the initial workshops and presentations for communities receiving her design services.

Radcliff asked who SHPO is working with from the city of Cadillac regarding the Cobbs and Mitchell building. Conway replied that he did meet with an individual, but did not recall her name. Conway added that the community will be involved in any planning.

Dr. John Halsey, Office of the State Archaeologist:

April is the month when the Office of the State Archaeologist (OSA) has traditionally prepared an annual report that is presented to both the Michigan Archaeological Society and the Conference on Michigan Archaeology. Highlights from that report include:

The OSA, in conjunction with the SHPO, reviewed approximately 600 federally assisted projects.

Barbara Mead reviewed over 2000 parcels of state-owned land being considered for disposal.

The OSA has been working with the State Museum to improve interpretation at the Sanilac Petroglyphs site, and to engage other groups with an interest in the site.

The OSA has been involved with several very complicated projects. Most notably: the Kennecott Mine project in Marquette, and the discovery of human remains in an excavation site in Flint.

Radcliff asked if there was an approximate date for the human remains found in Flint. Halsey stated that no artifacts were found, but the remains are suspected to be prehistoric.

Michigan Forest Finance Authority has given OSA funding to address cultural resource needs within state forests. This funding will provide for improved cultural resource management within state forests, staff training, a limited number of site inspections, and improvements to site inventory. William Rutter has been hired as project manager.

The Michigan Department of Military and Veteran's Affairs has provide the OSA with funding to upgrade the curation of the collections from National Guard facilities to federal curation standards.

Michigan Archaeology Day will be held Saturday, October 11, 2008. In 2007, more than 600 Michigan residents attended events both in Lansing and around the state.

A revised edition of *Beneath the Inland Seas* is being published, with a potential release date during the summer of 2008.

Senator Carl Levin has introduced legislation that will expand the boundaries of Thunder Bay National Marine Sanctuary (TBMNS). The proposed legislation would include all waters of Presque Isle, Alpena, and Alcona Counties. Fifty-five shipwrecks are known to exist in the current boundaries, and the expansion would include another 100 to 200 wrecks.

Wayne Lusardi, the OSA staff person at TBNMS, has worked with a number of graduate students in the past year as they conduct their research in maritime history. There have been at least five theses or dissertations as a result of that work.

Radcliff asked about the status of the *Griffin*. Halsey replied it is currently in litigation.

NATIONAL REGISTER NOMINATIONS

Site: Greenville Downtown Historic District, Greenville, Montcalm County

Presented By: Robert Christensen

Moved for Approval: Radcliff

Seconded: Hoagland

Vote: 9-0

Criteria: A, B, C

Level of Significance: Local

Snow stated that his city is looking forward to the district being nominated to the National Register (NR). Radcliff asked about the prospect of this district becoming a local historic district as well as a National Register-listed district. Christensen replied that he did not know that a local historic district was being considered at this time. Radcliff replied that there are three places on the boundary of the NR district that the frontage of the block is intersected by the proposed boundary of the district. She further stated that if a local district were created using these same boundaries, it would be difficult to regulate the review process based on property lines. She added that local district boundaries are usually drawn along street lines. Christensen replied that the NR boundary line stops where the historic buildings stop. Knibbe stated that each building should be listed as contributing or non-contributing in the nomination. Hoagland added that that information should also be on the district map.

Site: Leverett A. and Amanda (Hampson) Clapp House, Centreville, St. Joseph County

Presented By: Robert Christensen

Moved for Approval: Evans

Seconded: Chapman

Vote: 9-0

Criteria: C

Level of Significance: Local

Staley asked if the pole barn was connected to the house on the rear of the house. Christensen replied that there is some sort of connector. Campbell added that a covered walkway connects the house to the barn. Knibbe asked about Clapp's long-term impact. Christensen replied that his biggest contribution was that Clapp compiled county abstracts. He added that someone did that in every county, but it is seldom read about. Harms asked that even though it was an important function, does it raise his level of importance.

Site: Delhi Bridge, Scio Township, Washtenaw County

Presented By: Robert Christensen

Moved for Approval: Knibbe

Seconded: Hoagland

Vote: 9-0

Criteria: C

Level of Significance: Local

Chapman asked about the period of significance, which is noted as c. 1888, but a tornado had destroyed the bridge in 1917. Knibbe asked whether the abutments are from 1888. Christensen replied that they probably are the original abutments. Chapman and Knibbe suggested changing the period of significance to 1888-1917. Evans asked about Consideration B, since the original bridge had been moved. Christensen replied that Consideration B should be checked on the nomination. Knibbe disagreed, stating that we do not know that the bridge is not in its original location. Hoagland replied that it is unknown if the existing bridge is the original bridge. Knibbe replied that it was irrelevant because the existing bridge is the bridge being nominated. Christensen stated that there was another bridge in this location. Harms replied that it is unknown if the existing bridge had been moved or not, and that the existing bridge is the bridge being nominated. Christensen replied that the existing bridge was clearly not built in 1917. Harms replied that that assumption is based on looks, but the bridge could have been constructed from existing parts. Christensen stated that the only thing known about the bridge is that it was not the same bridge that was in this location before the tornado. He added that the bridge has a plaque of Wrought Iron Bridge Company, which was bought by the American Bridge Company in 1905/06, and the wrought-iron technology had mostly disappeared by the time of the tornado. Harms asked whether the Keeper of the National Register would want to know where the bridge was moved from. Hoagland stated that the bridge is a pre-fabricated structure, so in

a way it's been moved from somewhere. She added that its significance could stem from 1917 when it was erected in this location. Radcliff clarified that the period of significance will be changed to include both dates.

Site: Helen Newberry Nurses Home, Detroit, Wayne County

Presented By: Thomas Simon

Moved for Approval: Hoagland

Seconded: Harms

Vote: 8-0

Criteria: A, B, C

Level of Significance: Local

Hoagland commented that she thought the nomination was interesting. Harms stated that this period marks the transition of the medical profession, that nursing is a part of, out of the dark ages to a more enlightened view of the treatment of diseases. He added that you see the same thing with doctors moving away from apprenticeships to formalized training. Radcliff stated that Criterion B will need to be checked in the final nomination.

Site: Croton Dam Mound Group, Croton Township, Newaygo County

Presented By: Charles J. Rinehart

Moved for Approval: Beld

Seconded: Evans

Vote: 9-0

Criteria: D

Level of Significance: National

Knibbe suggested adding the unit of measurement (feet, meters, etc) to the scale on photographs and documents. Beld stated that these mounds might warrant a higher level of significance. These mounds are some of the earliest in the northern United States. They have been carbon dated to sometime between 800 and 400 BC. He added that there are few other mounds from this time period in the Great Lakes region. Knibbe stated that this resource is more than a Michigan resource, as the site predates Michigan. Radcliff asked if the RB should consider nominating the resource at a higher level of significance, or if the RB should request more research. Halsey stated that the RB should consider nominating this site as a national level site. Hoagland asked if something could be added to the nomination noting that artifacts found at these mounds came from throughout the Great Lakes region.

HISTORIC DISTRICT COMMITTEE STUDY REPORTS:

Presented by Arnold

Alger Theater Historic District, Detroit

The board made no additional comment

Sugar Hill Historic District, Detroit

Harms stated that activities, such as numbers running, are often viewed in negative terms by the majority culture, but activities like these were one of the few – if only – economic activities open to minority cultures, and that proceeds from these activities often benefited the community. He suggested that some language of the report be changed to reflect this reality.

Dean-Marentay Historic District, Green Oak Township

The board made no additional comment

Conant Farm Historic District, Washtenaw County

Radcliff asked Arnold about a photograph of a log cabin. Arnold replied that the log cabin was built later. Evans added that it was her understanding that it was built by the family's children.

Orson Starr Historic District, Royal Oak

The board made no additional comment

Heritage Square Historic District, Marine City

The board made no additional comment

LOCAL HISTORIC DISTRICT COMMISSION APPEALS

Presented by Nick Bozen, HAL Office of Regulatory Affairs

Rembert C. Parker v Pontiac Historic District Commission

Bozen presented a new Proposal for Decision (PFD) prepared at the board's request, noting that it addresses legal issues not discussed in the prior Amended PFD. Hoagland asked Bozen whether the real issue in this case is the property owner's desire to place vinyl siding on his garage, rather than the Pontiac Historic District Commission's (HDC) desire for the owner to side his garage in Hardiplank. Bozen stated that the Pontiac HDC went out of their way to assist Mr. Parker, but he insisted on building a maintenance-free garage. Bozen commented that the Administrative Law Judge (ALJ) wrote that Parker submitted no evidence to prove he could not afford to paint a garage. The board moved to accept the ALJ's recommendation and analysis as outlined in the PFD.

Moved: Radcliff

Seconded: Hoagland

Vote: 9-0

Jeff Foster v Detroit Historic District Commission

Bozen reported that Petitioner Foster had appealed a decision of the Detroit HDC denying his application for a front yard fence. Bozen noted that the Report of the ALJ recommended remanding the case to the HDC for the purpose of considering a

new application. Hoagland asked whether the report prepared by the ALJ would end Mr. Foster's right to appeal the HDC's decision. Bozen explained that the language in the report (specifically the directive to remand the case to the HDC) is not appropriate because the HDC is an administrative body and not an adjudicator that holds trials. Knibbe asked if the RB could direct the Department of History, Arts and Libraries' Office of Regulatory Affairs (ORA) to replace the language in the report and issue an order of dismissal without prejudice. Bozen replied that the RB or ORA could issue that type of order.

Moved: Knibbe

Seconded: Radcliff

Vote: 9-0

Tim Bell v Ann Arbor Historic District Commission

Knibbe expressed concern that the PFD does not address Mr. Bell's argument that previous non-conforming work done within the historic district gives him the right to perform non-conforming work on his property. Bozen replied that it is his thinking that the decisions of the RB should address as many areas of historic preservation as are necessary to address the issues raised in each case. He added that this non-conforming work argument was addressed in other RB cases. Knibbe moved that the RB supports the recommendation in the PFD, but that the Final Decision and Order modify the PFD to address the issue of existing non-conforming features in a historic district, stating that they are not appropriate considerations when evaluating new work.

Moved: Knibbe

Seconded: Staley

Vote: 9-0

The board passed a motion, which is to be renewed every January, giving the ORA authority to issue orders of dismissal in appeals that have been withdrawn or where cases have been settled.

Moved: Evans

Seconded: Radcliff

Vote: 9-0

DATE OF NEXT MEETING

January 16, 2009

ADJOURNMENT

Moved:

Seconded: Hoagland

Vote: 9-0

Adjourned: 12:45 p.m.

Prepared by T. Walsh